

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-17, 19-24, 25-74 and 77-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bright (US Patent No. 6,657,647) in view of Gever et al. (US Patent No. 6,331,861).

Regarding claim 1, Bright discloses a method for overlaying an object in a window of a software application (see abstract), comprising the steps of receiving a request for the object to be displayed in the window (see col. 3, lines 9-21), the request being initiated by a behavior of a user viewing the window, creating an overlay plane including the object as a function of the receiving step (see col. 4, lines 11-21 and figures 1-3). However, Bright fails to explicitly teach displaying the object, in response to the request, by overlaying the created overlay plane in the

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window, wherein the object is displayed in a manner that is independent of a movement of a pointing device.

Gever teaches displaying the object, in response to the request, by overlaying the created overlay plane in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device (see col. 7, lines 20-38). It would have been obvious to one of ordinary skill in the art, having the teachings of Bright and Gever before him at the time the invention was made, to modify the displaying overlay object of Bright to include defining an object that includes a geometrical description of an animated, as taught by Gever. One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the hyperlink or hot spot; and the animated image created at the source computer is rendered on the target computer screen.

Regarding claim 2, Bright discloses wherein the window is a markup language document (see col. 4, lines 20-26).

Regarding claim 3, Bright discloses wherein the mark-up language document is an HTML document (see col. 5, lines 55-67).

Regarding claim 4, Gever discloses wherein the markup language document is an XML document (see col. 8, lines 55-65).

Regarding claim 5, Bright discloses wherein the software application is a Web browser (see col. 6, lines 55-65).

Regarding claim 6, Bright discloses wherein the Web browser is at least one of Netscape Navigator, Netscape Communicator, and Microsoft Internet Explorer (see col. 7, lines 1-55).

Regarding claim 7, Bright discloses wherein the receiving step includes receiving the request as a result of the user clicking on a hyperlink (see col. 8, lines 7-35).

Regarding claim 8, Bright discloses wherein the receiving step includes receiving the request as a result of the user clicking on a banner (see figures 1-2).

Regarding claim 9, Bright discloses wherein the receiving step includes receiving the request as a result of the user clicking on a graphical icon (see col. 8, lines 45-55).

Regarding claim 10, Bright discloses wherein the receiving step includes receiving the request as a result of the user initiating a click event (see col. 9, lines 17-43).

Regarding claim 11, Gever discloses wherein the receiving step includes receiving the request as a result of the user initiating a rollover event (see col. 4, lines 26-60). One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the hyperlink or hot spot.

Regarding claim 12, Gever discloses wherein the receiving step includes receiving the request as a result of the user initiating a timing event (see col. 6, lines 31-46).

Regarding claim 13, Gever discloses wherein the receiving step includes receiving the request as a result of the user requesting a new window to be displayed (see col. 5, lines 8-50).

Regarding claim 14, Gever discloses wherein the new window is defined by a markup language document (see col. 8, lines 60-62).

Regarding claims 15 and 16, Gever discloses wherein the markup language document is an HTML document and wherein the markup language document is an XML document (see col. 8, lines 48-65).

As claims 17 and 19 are analyzed as previously discussed with respect to claims 1-16 above.

Claims 20-21 and 23 differs from claim 1 in that "creating an overlay plane using at least one layer including the object as a function of the receiving step, wherein the layer is created using a layering functionality of the software application and the layer is hidden from a user; and displaying the object, in response to the request, by overlaying the layer in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device" which recited on Bright, see col. 11, lines 1-30.

Regarding claim 22, Gever discloses the layer is a DHTML layer (see col. 29, lines 5-25).

As claims 25 and 26 are analyzed as previously discussed with respect to claims 22-23 above.

Regarding claim 27, Bright discloses wherein the displaying step further comprises: displaying the object, in response to the request, by overlaying the created overlay image in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device (see figures 2-4)

Regarding claim 28, Gever discloses, wherein the overlay plane utilizes semi-transparent edges (see col. 30, lines 26-50).

Regarding claim 29, Gever discloses, wherein the displaying step includes the step of using a transition effect to display the created overlay plane, wherein the transition effect is at least one of a transparent transition, a rotating object transition, a zoom transition, an animation

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transition, a wipe transition, a page curl transition, and a ripple transition (see figures 16-18A). One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the hyperlink or hot spot; and the animated image created at the source computer is rendered on the target computer screen.

Regarding claim 30, Gever discloses, wherein the displaying step further comprises: displaying the object, in response to the request, by overlaying the created overlay plane in the window, wherein the overlay plane is directly composited with the window without using functionality of the software application and wherein the object is displayed in a manner that is independent of a movement of a pointing device (see col. 22, lines 18-48).

Claims 31 and 47 differs from claims 1 and 20 in that "receiving, by a plugin-control, a request for the object to be displayed in the window, the request being initiated by a behavior of a user viewing the window creating, by the plugin-control, an overlay plane including the object as a function of the receiving step; and displaying the object in response to the request by overlaying, by the plugin-control, the created overlay plane in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device" which read on Gever; (see col. 5, lines 40-50). One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the hyperlink or hot spot; and the animated image created at the source computer is rendered on the target computer screen.

As claims 32-46 and 50-51 are analyzed as previously discussed with respected to claims

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27-31 above.

Regarding claims 47 and 48, Gever discloses, wherein the displaying step further comprises displaying the object in response to the request by overlaying, by the plugin-control, the layer in the window, wherein the layer is overlaid in the window using a plugin-control provided mechanism for a display of content in the window by passing a software application provided mechanism for a display of layers and wherein the object is displayed in a manner that is independent of a movement of a pointing device (see figures 3-5).

Regarding claim 52, Gever discloses wherein overlaying an object in a window of a software application, comprising the steps of receiving, by a plugin-control, a request for the object, the request being initiated by a behavior of a user viewing the window, creating, by the plugin-control, an overlay plane including the object as a function of the receiving step; defining a layer using the software application provided functionality, wherein the layer definition is included in the definition of the window; placing the created overlay plane in the defined layer; and overlaying, by the plugin-control, the created overlay plane in the window (see col. 6, lines 13-60). One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the link or hot spot.

As claims 53-74 and 77-94 are analyzed as previously discussed with respect to claims 32-52 above.

Regarding claim 95, Gever discloses a method for overlaying an object in a window of a software application, displaying the object in response to the request by overlaying, by the plugin-control, the created overlay plane in the window, wherein the object is displayed in

a manner that is independent of a movement of a pointing device and wherein the overlay plane is directly composited in the window without using a layering feature of the software application (see col. 7, lines 1-49).

Regarding claim 96, Gever discloses creating, by the plugin-control, an overlay plane including the object as a function of the receiving step; and displaying the object in response to the request by overlaying, by the plugin-control, the created overlay plane in the window, wherein the object is displayed in a manner that is independent of a movement of a pointing device and wherein the overlay plane is directly composited in the window without using a layering feature of the software application (see figures 3A-5). One would have been motivated to make such a combination in order to produce an image and pop-up of an object upon positioning the mouse cursor within a predetermined proximity of the link or hot spot.

As claims 97-98 are analyzed as previously discussed with respect to claims 95-96 above.

Conclusion

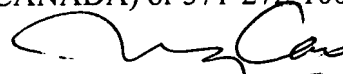
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

05/29/07

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| Notice of References Cited | Application/Control No. 09/692,498 | Applicant(s)/Patent Under Reexamination PAPERNY ET AL. | |
| | Examiner Cao (Kevin) Nguyen | Art Unit 2173 | Page 1 of 1 |

U.S. PATENT DOCUMENTS

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|---|---|--|-----------------|-------------------|----------------|
| | A | US-6,331,861 | 12-2001 | Gever et al. | 345/629 |
| * | B | US-6,657,647 | 12-2003 | Bright, Walter G. | 715/856 |
| | C | US- | | | |
| | D | US- | | | |
| | E | US- | | | |
| | F | US- | | | |
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